

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DALONTE D. FOARD,

Plaintiff,

vs.

TODD BAHENSKY, Director; D. WINKLER,
Correction Officer; HOBBS, Correction
Officer; and BEAVERNESS, Correction
Officer;

Defendants.

8:23CV217

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. On June 29, 2023, the Court ordered Plaintiff to update his address. [Filing No. 11](#). On July 5, 2023, Plaintiff responded to the Order, indicating he is now in the custody of the Bureau of Prisons at U.S.P. Leavenworth. [Filing No. 12](#). However, prior to receiving Plaintiff's updated address the Clerk of the Court sent an order granting Plaintiff's motion to proceed in forma pauperis and setting the deadline for receipt of his initial partial filing fee for July 10, 2023, [Filing No. 9](#), to Plaintiff's last known address as set forth in his Complaint, [Filing No. 1](#), which was returned to this Court as undeliverable on June 16, 2023, [Filing No. 10](#), and was not resent.

IT IS THEREFORE ORDERED that:

1. The Clerk of the Court is instructed to resend a copy of the Order at [Filing No. 9](#) to Plaintiff and to the appropriate official at Plaintiff's current institution.
2. On the Court's own motion, Plaintiff shall have 30 days from the date of this order to pay his initial partial filing fee of \$7.82.
3. The Clerk of the Court is further instructed to extend the previous initial partial filing fee payment deadline set forth in [Filing No. 9](#) as follows: **August 28, 2023**: initial partial filing fee due.

Dated this 28th day of July, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large initial "J" and a long horizontal stroke at the end.

Joseph F. Bataillon
Senior United States District Court